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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,087	03/22/2004	Rajan Rajendran	0315-000505/REA	1688

27572 7590 07/27/2006

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

EXAMINER
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RODRIGUEZ, WILLIAM H

ART UNIT	PAPER NUMBER
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3746

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/806,087	<b>Applicant(s)</b> RAJENDRAN ET AL.	
	<b>Examiner</b> William H. Rodriguez	<b>Art Unit</b> 3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29, 71 and 75-120 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 71 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

This office action is in response to the communication filed by applicant on 4/28/06.

#### *Response to Amendment*

1. The reply filed on 4/28/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): **Applicant has not addressed the rejection of claims 1-29 and 71 under 35 USC 103(a) as being unpatentable over Doecker et al. (US 6,213,731).** In the communication of 4/28/06, all applicant states is that the 35 USC 103(a) rejection for claims 1-29 and 71 is moot because examiner agreed to withdraw this rejection during an interview on 3/8/06. However, a throughout review of the record does not show any telephonic or personal interview, there is no interview summary or any indication that an interview personal or telephonic was ever conducted between examiner Sayoc and applicant's attorney. Moreover, since Mr. Sayoc is no longer employed by the US Patent and Trademark Office is it unknown if that interview ever actually took place. The current examiner being assigned to this case, request that applicant states in writing why applicants believes the 35 USC 103 (a) rejection for claims 1-29 and 71 should be withdrawn (what positively recited structural limitations in claims 1-29 and 71 are not present or taught by the 35 USC 103 (a) rejection?). Also, applicant should point out clearly where is the specification (by column, line and page) there is support for the subject matter of newly added claims 75-120. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or

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correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

**REJECTION UNDER 35 U.S.C. § 103**

Claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Doecker et al. (U.S. Pat. No. 6,213,731) and Suefuji et al. (U.S. Pat. No. 6,267,572).

Claims 1-29, and 31-74 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Doecker et al. (U.S. Pat. No. 6,213,731) as modified by Suefuji et al. (U.S. Pat. No. 6,267,572), as applied to related structure in the rejection of Claim 30, and in further view of Osada et al. (JP 10-037866).

These rejections are respectfully traversed.

At the outset, Applicants respectfully submit that this rejection is moot with respect to Claims 1-29 and 71, as the Examiner has removed the rejection to Claims 1-29 and 71 during the interview of March 8, 2006, as noted above. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

A through review of the record does not show any indication that an interview personal or telephonic ever took place. Therefore, applicant needs to address the outstanding rejection.


***Contact information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Rodríguez whose telephone number is 571-272-4831. The examiner can normally be reached on Monday-Friday 7:30 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy S. Thorpe can be reached on 571-272-4444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
William H. Rodriguez  
Primary Examiner  
Art Unit 3746

7/19/06